

Application No. 10/690,344

Docket No.: 025058.0101PTUS

REMARKS

Applicants appreciate the Examiner's review of the application. Applicants respectfully request reconsideration and allowance of all claims.

Applicants confirm the election of Group I: Claims 1 - 23 and 41 - 47. Claims 24 - 34 have been withdrawn from consideration as indicated in the listing of claims. Claims 35 - 40 have previously been withdrawn from consideration. Currently pending claims are 1 - 23 and 41 - 47.

Claims have been amended. Support for the amendments may be found at, for example, paragraphs 0015, 0019 and 0039. No new matter has been added by the amendments.

Claims 48 - 51 have been added. Support for the new claims may be found at paragraphs 0002, 0015, 0019, 0020, and 0021. For example, support for independent claim 48 may be found in paragraphs 0002 and 0019. Support for claim 49 may be found in paragraph 0020; support for claim 50 may be found in paragraph 0015; and support for claim 51 may be found in paragraph 0021. The claims are patentable over the art of record. No new matter has been added by the amendments.

Claim 1 - 23 are patentable under 35 U.S.C. 112, first paragraph.

Claims 1 - 23 are patentable under 35 U.S.C. 112, first paragraph because they contain subject matter that is described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

Independent claim 1 was amended in the previous Amendment to more clearly point out that separate access methods are provided for a first group of users distinct from a second group

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of users. This amendment was made in response to the Examiner interview of April 17, 2007 and the subsequent Interview Summary dated April 20, 2007. The Examiner requested an amendment to clarify that two distinct groups or groups of users access the communications manager application; the two distinct groups being the public-at-large and project team members.

Applicants previously amended the claim language regarding the groups of users to show this distinction between those groups of users. A first group of users may not be associated with the managing of public involvement projects, i.e., public users from the public-at-large. The second group of users may be associated with the managing of public involvement projects, i.e., project team members.

The Office Action, however, specifically objects to the language "a first group of users not acting in a capacity associated with managing the public involvement project" as lacking written description support. See page 4 of the August 22, 2007 Office Action. As stated above, the first group of users refers to the "public-at-large", "public user", "public", etc. referenced throughout the specification. See, for example, paragraphs 003, 0015, 0021, 0039, and 0079. The second group of users refers to the "project team members" or "team members". See, for example, paragraphs 0019, 0026, 0039. Adequate written support exists within the specification.

To facilitate prosecution, Applicants have amended the claims to specify "public users" from the "public-at-large", and "project team members". Applicants are attempting to describe the dichotomy between the public-at-large, which provide public comments and information about a public involvement project, and project team members, which manage and organizing the comments and information about the proposal or project of public involvement.

Support for the previous amendments to claim 1 may be found, for example, at paragraphs 0019, 0039 and FIG. 1. As indicated in paragraphs 0019, 0039 and FIG. 1, the first group of users, i.e., the public users from the public-at-large, access "a front end" that may "provide information to and handle a large number of inputs from the public-at-large". Paragraph 0019. The public users are separate from the management of the public involvement project. For example, a "public user 130 uses Internet 125 to access Web site 135 to obtain information *provided by the project team*, participate in discussions, submit opinions and

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comments." Paragraph 0039 (emphasis added). In contrast, the project team members are involved in proposing and managing the project, communicating "via a direct link 105 with a server 110 supporting backend functionality for integrating various services and communications." Paragraph 0039. The groups described in the claims show that the public-at-large is a group with a distinct role in the public involvement project compared with the project team members. No new matter has been added by the amendments.

Support for the current amendments may be found, for example, in paragraphs 0015, 0019, and 0039. The current amendments have been made to clarify the operation and functionality of the claims. No new matter has been added.

The language in independent claim 1 is patentable because it contains subject matter that is described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Claims 2 - 23 depend from independent claim 1 and are further supported by the specification.

Therefore, claims 1 - 23 are patentable under 35 U.S.C. 112, first paragraph. Withdrawal of the rejection and allowance of all claims are requested.

Claims 1 - 6, 8 - 14, 16 - 23, 41 and 44 - 47 are patentable under 35 U.S.C. 103(a) over Nicastro et al. (U.S. Patent Publication No. 2004/00153367) in view of Rosnow et al. (U.S. Patent Publication 2003/0106039).

The Examiner's rejection of claims 1 - 6, 8 - 14, 16 - 23, 41 and 44 - 47 over Nicastro in view of Rosnow is respectfully traversed. Withdrawal of the rejections and allowance of the claims are respectfully requested.

Independent claim 1 has been amended, for example, to add that "the front end secure web portal provides "information *regarding the public involvement project* to the public users from the public-at-large and receiving a large number of public comment inputs *regarding the public involvement project*." (Emphasis added). Furthermore, claim 1 has been amended to add

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that the communications manager application may allow access by project team members "to use and respond to the large number of public comment inputs from the public users from the public-at-large *regarding the public involvement project*." (Emphasis added). No new matter has been added by the amendments.

Independent claim 41 has been amended, for example, to more clearly indicate that the method includes receiving "a large number of public comment *inputs regarding the public involvement project* from the public users from the public-at-large ". (Emphasis added). No new matter has been added by the amendments.

Both claims have also been amended to show that the front end secure web portal provides information regarding the public involvement project and receives a large number of public comment inputs regarding the public involvement project.

Both claims have further been amended to show that, at the backend, the communications manager application processes and handles the large number of public comment inputs regarding the public involvement project.

No new matter has been added by the amendments to the claims. Support for the amendments is found in paragraphs 0019 and 0039. The amendments more clearly show that the "public users 130 uses Internet 125 to access website 135 to obtain information provided by project team, participate in discussions, submit opinions and comments." Paragraph 0039. The amendments also show that "[p]roject team member 100 communicates via a direct link 105 with a server 110 supporting backend functionality for integrating various services and communications." Paragraph 0039. The project team members manage the project through backend functionality.

The system and methods of the present invention are directed to the unique problems of public involvement projects. A purpose of Applicants' invention, as indicated in paragraphs 004 - 006 of the specification, is to solicit and process large quantities of information from a large number of participants into a useful form for project team members to use. Furthermore, paragraph 0019 describes that "a front end" may "provide information to and handle a large

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number of inputs from the public-at-large while providing a backend is suitable for one or more public involvement projects that may use and respond to the input from the public-at-large."

The communications manager of the present invention facilitates the collection and processing of the information submitted by the public-at-large. Public involvement projects are distinct from other types of closed systems, such as construction projects or product development, because input is received and processed from users not associated with the progress and completion of the public involvement project.

Applicants would like to draw the Examiner's attention to the wording "public involvement project" in independent claims 1 and 41. None of the previous Office Actions have directly addressed this limitation of the claims.

In each instance of the word "public", the Examiner has repeated those words in the rejection but does not specifically address them. See, for example, page 5 of the August 22, 2007 Office Action where the Examiner quotes "an access for a second group of users acting in a capacity associated with managing the public involvement project to access the server computer". The Examiner then cites "(fig. 3A, paragraphs [0100, 0098])" without any indication of how these paragraphs show a "public involvement project". Applicants do not see where in the cited language a public involvement project or unique attributes of a public involvement project are addressed. The references cited in the Office Action do not discuss public involvement projects or proposals that require public comment or input.

For example, Nicastro is a construction industry reference, specifically for construction of a building or an asset. Paragraph 0074. Nicastro does not manage public involvement projects or have anything to do with public involvement proposals. Nicastro merely manages organization of a construction project by allowing sub-contractors and other construction workers to communicate with management of the building project. Fig. 4 of Nicastro clearly indicates that all individuals interfacing with the system are related to the project. Fig. 4 of Nicastro further shows a project manager interrelated with storage managers, accountants, subcontractors, sellers, etc. Nicastro is a closed system with all "users" being associated with progress and completion of the construction process. See definition of "Project Partners" at

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paragraph 0088. The Project Partners and not the general public participate in the construction process. See, for example, paragraph 0302.

Furthermore, Rosnow is merely a business product development management system. Paragraph 0035. For example, Rosnow may be used for categories of projects including new products, existing product quality enhancements, productivity and brand maintenance. Paragraph 0009. The "users" of Rosnow are all associated with various phases of product development. Users may be external clients, such as suppliers or vendors, or internal clients, such as employee project team members. Paragraph 0011.

Neither reference manages the unique aspects of coordinating information and comments from the public-at-large as required by the claims. Neither reference accepts or processes information or comments from the public-at-large for review by project team members as required by the claims.

Independent claims 1 and 41 require that the system and method address a "public involvement project". Neither cited reference addresses this limitation of the claim and the Office Action has not expressly cited where in the references this information can be found.

Dependent claims 2 - 6, 8 - 14, 16 - 23, 41 and 44 - 47 depend from independent claims 1 and 41 and add further patentable features to the patentable features of the independent claims.

New claims 48 - 51 are patentable for reasons similar to those discussed above. Neither Nicastro, Rosnow or a combination thereof disclose all of the patentable features of the claims. Claims 48 - 51 are allowable.

Therefore, claims 1 - 6, 8 - 14, 16 - 23, 41, 44 - 47 and 48 - 51 are patentable over Nicastro in view of Rosnow. Withdrawal of the rejection is requested.

Claim 7 is patentable under 35 U.S.C. 103(a) over Nicastro et al. (U.S. Patent Publication No. 2004/00153670) in view of Rosnow et al. (U.S. Patent Publication 2003/0106039) and further in view of Chemtob (U.S. 7,124,164).

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The Examiner's rejection of claim 7 over Nicastro in view of Rosnow and further in view of Chemtob is respectfully traversed.

Claim 7 depends from independent claim 1. Claim 15 adds the further patentable limitation "the communications tool module provides one or more of web conferencing and message board" to the patentable features of independent claim 1. At least for reasons discussed above, independent claim 1 is patentable over Nicastro in view of Rosnow.

Therefore, dependent claim 7, which depends from independent claim 1, is allowable over Nicastro in view of Rosnow and further in view of Chemtob. Withdrawal of the rejections and allowance of the claims are respectfully requested.

Claim 15 is patentable under 35 U.S.C. 103(a) over Nicastro et al. (U.S. Patent Publication No. 2004/00153670) in view of Rosnow et al. (U.S. Patent Publication 2003/0106039) and further in view of Estrada (U.S. Patent Publication No. 2003/0135565).

The Examiner's rejection of claim 15 over Nicastro in view of Rosnow and further in view of Estrada is respectfully traversed.

Claim 15 depends from independent claim 1. Claim 15 adds the further patentable limitation "wherein work product is published on a Website substantially concurrently with its generation to invite public comments to complete a feedback loop" to the patentable features of independent claim 1. At least for reasons discussed above, independent claim 1 is patentable over Nicastro in view of Rosnow.

Therefore, dependent claim 15, which depends from independent claim 1, is allowable over Nicastro in view of Rosnow and further in view of Estrada. Withdrawal of the rejections and allowance of the claims are respectfully requested.

Claims 42 - 43 are patentable under 35 U.S.C. 103(a) over Nicastro et al. (U.S. Patent Publication No. 2004/00153670) in view of Rosnow et al. (U.S. Patent Publication

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2003/0106039) and further in view of Sellers (U.S. 5,311,438).

The Examiner's rejection of claims 42 - 43 over Nicastro in view of Rosnow and further in view of Sellers is respectfully traversed.

Claim 42 depends from independent claim 41. Claim 42 adds the further patentable limitation "wherein a proposed rule is modified in response to the comment report" generating a modified proposal based upon reviewing the one or more comments" to the patentable features of independent claim 41. Claim 43 adds the further patentable limitation "recreating, reposting or revising the proposal of public involvement" to the patentable features of independent claim 41. At least for reasons discussed above, independent claim 41 is patentable over Nicastro in view of Rosnow.

Therefore, dependent claims 42 - 43, which depend from independent claim 41, are allowable over Nicastro in view of Rosnow and further in view of Sellers. Withdrawal of the rejections and allowance of the claims are respectfully requested.

Claims 42 - 43 are patentable under 35 U.S.C. 103(a) over Nicastro et al. (U.S. Patent Publication No. 2004/00153670) in view of Rosnow et al. (U.S. Patent Publication 2003/0106039) and further in view of Chappel (U.S. Patent Publication No. 2003/0101089).

The Examiner's rejection of claims 42 - 43 over Nicastro in view of Rosnow and further in view of Chappel is respectfully traversed.

Claim 42 depends from independent claim 41. Claim 42 adds the further patentable limitation "generating a modified proposal based upon reviewing the large number of public comment inputs" to the patentable features of independent claim 41. Claim 43 adds the further patentable limitation "recreating, reposting or revising the public involvement project" to the patentable features of independent claim 41. At least for reasons discussed above, independent claim 41 is patentable over Nicastro in view of Rosnow.

Therefore, dependent claims 42 - 43, which depend from independent claim 41, are allowable over Nicastro in view of Rosnow and further in view of Chappel. Withdrawal of the

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rejections and allowance of the claims are respectfully requested.

Applicant has submitted a Request for Extension of Time and payment for the additional claims with the corresponding fees. If further fees are due, however, please charge our Deposit Account No. 50-2228, under Order No. 025058.0101PTUS from which the undersigned is authorized to draw.

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Respectfully submitted,

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